III. REMARKS

Claims 1-36 are pending in this application. By this amendment, claims 1, 8, 13, 23 and 27 have been amended. Applicant is not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the subject matter. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-36 are rejected under 35 U.S.C. §112 as allegedly being indefinite. Claims 8-11 and 13-25 are rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Claims 1-36 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Bansal (U.S. Patent Pub. No. 2003/0191823), hereafter "Bansal."

A. REJECTION OF CLAIM 1-36 UNDER 35 U.S.C. §112

The Office has asserted that claims 1-36 are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office further objects to the term "the server", but does not specify the claims in which the term appears. Applicant previously amended claims 18, 21, 32 and 32 to replace the term with "a server" and cannot find any other instance of the term. Accordingly, Applicant requests that the Office clarify the rejections or that they be withdrawn.

The Office has also objected to claims 1, 4-11, 13, 15, 17, 20, 23, 25, 27, 29, 31 and 34 and to claims 5 and 11 for including the trademark names OSGi and WIN32, respectively. Applicant respectfully continues to submit that, contrary to the Office's assertion, the inclusion of the objected to terms specify an environment in which the invention is intended to function and not simply a product name. To this extent, it is unclear to Applicant how the limitations of the claimed invention can be claimed without using these terms, as the invention is drawn, *inter alia*, to operations within, to, from and/or that include these specific operating environments. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

B. REJECTION OF CLAIMS 1-34 UNDER 35 U.S.C. §102(e)

With regard to the 35 U.S.C. §102(e) rejection over Bansal, Applicant asserts that Bansal does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 8, 13, 23 and 27, Applicant submits that Bansal fails to teach deploying the OSGi bundle directly within a native environment of the client device, the native environment being an environment of a primary operating system of the client device and separate from the OSGi environment. In support of its rejection, the Office cites a passage of Bansal that describes an active framework complaint service that "…is packaged in a bundle…so that it can be deployed in the hosting environment *offered by the present invention*." Para. 0041, *emphasis added*. To this extent, the hosting environment of Bansal is not the primary operating system of the host machine, but rather a non-natural environment that is specifically designed for the active framework. This environment is further described as being "…a hosting environment for hosting

the services, which can be installed, activated, configured, upgraded, downgraded, deactivated, uninstalled, etc. within this hosting environment."

In contrast, the claimed invention includes "…deploying the OSGi bundle directly within a native environment of the client device, the native environment being an environment of a primary operating system of the client device and separate from the OSGi environment." Claim 1. As such, the native environment in which the OSGi bundle of the claimed invention is deployed is not a non-natural environment that is specifically designed for application, as is the hosting environment in Bansal, but rather is the primary operating system of the client device separate from the OSGi environment. Thus, the native environment as included in the claimed invention is not taught by the hosting environment in Bansal. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With respect to dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's

combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

/Hunter E. Webb/

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Hunter E. Webb
Reg. No.: 54,593

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)